

From: Pam Grubaugh-Littig
To: TimKirschbaum@consolenergy.com
Date: 4/17/03 8:21AM
Subject: Fwd: Emery Deep

Tim - these were items that were brought up during the last inspection (March 19, 2003) and were given 30 days to be addressed. Steve had these observations during a site visit on Tuesday, April 15. Please make sure that they all are adequately addressed.

Addressing the coal fine situation and making sure that the actions taken to reduce and control the coal fines are working is important. A follow-up to Steve or me to notify the Division how effective these methods are working is in order, i.e. the spray, scalping screen, MagChloride. Also, please update us on when the telescoping chute will be installed? Dust suppression product identified and used at the site? On the phone, I mentioned that the description of how the "coal loadout is operating efficiently and will control the dust problem" needs more elaboration.

Also, are you coming out to Salt Lake next week?

Please let me know about all of the above...Thank you. Pam

CC: Demczak, Steve; SethMcCourt@consolenergy.com

From: Steve Demczak
To: Pam Grubaugh-Littig
Date: 4/17/03 7:59AM
Subject: Emery Deep

I did a site visit on April 15, 2003 to see what work was completed since the last inspection. Several maintenance items needed to be done within 30 days from the inspection. The following items have not been completed:

- a) Trash and ventilation tubing in the sediment pond by the equipment and non-coal waste storage area. This will need to be removed prior to the next inspection.
- b) The inlet grade to the 4th east sediment pond is higher than the road. Water will puddle up in front of the pond instead of going into the sediment pond. This road will need to be filled and graded and sloped. Also, additional grading and sloping of the road will be required next to the topsoil pile.
- c) The refuse material has been removed by the berm leading to the sediment pond. However, the miners have placed non-coal waste material in the same location.
- d) Fine coal is leaving the entrance of the 4th east facilities. This material may find its way into the riparian area.
- e) The 20 foot fence is not completed and when the wind blows there are gaps between the silt fence material.
- f) The drainage from the straw bales next to the fence will need sediment control. Coal fines are in the drainage leading to the road culvert.

This information has been given to Seth on a phone call conversation.